

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — SECOND CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIRST DAY

(Wednesday, June 28, 2023)

In obedience to the Proclamation of the Honorable Greg Abbott, Governor of the State of Texas, the Senate met in the Senate Chamber of the State Capitol at Austin, Texas, on the 28th day of June, 2023, at 11:10 a.m. and was called to order by the Honorable Dan Patrick, Lieutenant Governor and President of the Senate.

The President directed the Secretary of the Senate to call the roll of the Senate.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Senator King offered the invocation as follows:

Well, Father, we're back again and we all have mixed emotions about it, but one thing we're very united on, and I know we're united with our friends in the House as well, is that we want to do something really good for Texas this session. And we pray that You would help us all to put everything aside we need to put aside and put Texas first and put You first above Texas. And I pray that You would just give us the wisdom and the discretion and the skill to just come up with policy, particularly for taxes now that really, will really bless this state and ultimately our country. We thank You for the privilege of serving here. All of us are away from family and businesses and other enterprises, so we would love to get this over with quickly, but most importantly we want to do this right. And we just pray for unity among ourselves, for patience with others, for each other, and with each other, because we're all tired and ready to be back home. We just pray we do all things for Your glory. We thank You for Your son and for the salvation through him. And just again, thanks for the privilege of serving here. In Jesus' name. Amen.

PROCLAMATION BY THE GOVERNOR

The following Proclamation by the Governor was read and was filed with the Secretary of the Senate:

PROCLAMATION
BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, GREG ABBOTT, Governor of the State of Texas, by the authority vested in me by Article III, Sections 5 and 40, and Article IV, Section 8 of the Texas Constitution, do hereby call extraordinary session #2 of the 88th Legislature, to convene in the City of Austin, commencing at 3 p.m. on Tuesday, June 27, 2023, for the following purposes:

To consider and act upon the following:

Legislation to cut property-tax rates solely by reducing the school district maximum compressed tax rate in order to provide lasting property-tax relief for Texas taxpayers.

Legislation to put Texas on a pathway to eliminating school district maintenance and operations property taxes.

The Secretary of State will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 27th day of June, 2023.

(Seal)

/s/Greg Abbott
Governor

Attested by:

/s/Jane Nelson
Secretary of State

SENATE BILL AND RESOLUTION ON FIRST READING

The following bill and resolution were introduced, read first time, and referred to the committee indicated:

SB 1 by Bettencourt

Relating to providing property tax relief through the public school finance system, exemptions, and limitations on taxes and providing franchise tax relief.

To Committee on Finance.

SJR 1 by Bettencourt

Proposing a constitutional amendment to increase the amount of the exemption from ad valorem taxation by a school district applicable to residence homesteads, to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts, and to except certain appropriations to pay for school district ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations.

To Committee on Finance.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider the following bill and resolution immediately upon recess today in the Betty King Committee Room, 2E.20: **SB 1, SJR 1**.

RECESS

On motion of Senator Whitmire, the Senate at 11:15 a.m. recessed until 11:30 a.m. today.

AFTER RECESS

The Senate met at 11:54 a.m. and was called to order by the President.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:55 a.m. announced the conclusion of morning call.

**SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)**

On motion of Senator Huffman and by unanimous consent, Senate Rule 7.12(a) was suspended and the committee reports for **SJR 1, SB 1** were ordered not printed.

ORDERED NOT PRINTED

On motion of Senator Huffman and by unanimous consent, **SJR 1** and **SB 1** were ordered not printed in the *Senate Journal*.

SENATE JOINT RESOLUTION 1 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 10.01 was suspended to take up for consideration **SJR 1** at this time.

The President laid before the Senate the following resolution:

SJR 1, Proposing a constitutional amendment to increase the amount of the exemption from ad valorem taxation by a school district applicable to residence homesteads, to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts, and to except certain appropriations to pay for school district ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations.

The resolution was read second time.

Senator Gutierrez offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 1** (senate committee report) by adding the following new Section to the bill and renumbering subsequent sections as appropriate:

SECTION __. Article VII, Texas Constitution, is amended by adding Section 21 to read as follows:

Sec. 21. TEACHER RETENTION ALLOTMENT. (a) A school district is entitled to an allotment for the 2023-2024 school year for each classroom teacher employed by the district in that year as follows:

(1) if the district has 20,000 or more students enrolled in the 2022-2023 school year, \$2,000 per classroom teacher; and

(2) if the district has fewer than 20,000 students enrolled in the 2022-2023 school year, \$6,000 per classroom teacher.

(b) A school district shall use money received under Subsection (a) to increase the salary provided to each classroom teacher in the district for the 2023-2024 school year over the salary the teacher received or would have received if employed by the district in the 2022-2023 school year by at least the amount received per classroom teacher under Subsection (a).

(c) This section is self-operative.

(d) This section expires September 1, 2025.

The amendment to **SJR 1** was read.

Senator Gutierrez withdrew Floor Amendment No. 1.

Senator Gutierrez offered the following amendment to the resolution:

Floor Amendment No. 2

Amend **SJR 1** (senate committee report) as follows:

(1) Add the following new SECTION to the resolution and renumber the other SECTIONS of the resolution as appropriate:

SECTION _____. Article VII, Texas Constitution, is amended by adding Section 21 to read as follows:

Sec. 21. (a) A school district is entitled to state funding for the 2023-2024 and 2024-2025 school years for each full-time classroom teacher employed by the district in the applicable school year as follows:

(1) if the district has 20,000 or more students enrolled in the preceding school year, \$2,000 per full-time classroom teacher; and

(2) if the district has fewer than 20,000 students enrolled in the preceding school year, \$6,000 per full-time classroom teacher.

(b) A school district shall use money received under this section to provide a supplemental payment to each full-time classroom teacher in the district for the applicable school year in the amount received per full-time classroom teacher under Subsection (a) of this section.

(c) For each school year for which this section provides for supplemental payments for full-time classroom teachers, there is appropriated from the general revenue fund to the Texas Education Agency the amount necessary to fund the supplemental payments provided by this section. The agency shall distribute the money to school districts in the amount required to fund the supplemental payments.

(d) This section expires September 1, 2025.

(2) In SECTION 4 of the resolution, in the proposed ballot proposition, immediately before "and to except certain appropriations," insert "to provide supplemental payments to full-time classroom teachers in school districts;"

GUTIERREZ	HINOJOSA	PARKER
ALVARADO	HUFFMAN	PAXTON
BETTENCOURT	HUGHES	PERRY
BIRDWELL	JOHNSON	SCHWERTNER
BLANCO	KING	SPARKS
CAMPBELL	KOLKHORST	SPRINGER
CREIGHTON	LAMANTIA	WEST
ECKHARDT	MENÉNDEZ	WHITMIRE
FLORES	MIDDLETON	ZAFFIRINI
HALL	MILES	
HANCOCK	NICHOLS	

The amendment to **SJR 1** was read and was adopted by viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

On motion of Senator Bettencourt, the resolution as amended was adopted by the following vote: Yeas 31, Nays 0.

SENATE BILL 1 ON SECOND READING

Senator Bettencourt moved to suspend the Constitutional Three-day Rule to take up for consideration **SB 1** at this time on its second reading:

SB 1, Relating to providing property tax relief through the public school finance system, exemptions, and limitations on taxes and providing franchise tax relief.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

STATEMENT SUBMITTED

Senator Nichols submitted the following statement:

I was absent-excused for the votes on Senate Resolution 35 and Senate Resolution 36, passed in the 88th Legislature, 1st Called Special Session. I would have voted "yea" on both resolutions.

NICHOLS

CO-AUTHORS OF SENATE BILL 1

On motion of Senator Bettencourt, Senators Alvarado, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, and Zaffirini will be shown as Co-authors of **SB 1**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 1

On motion of Senator Bettencourt, Senators Alvarado, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, and Zaffirini will be shown as Co-authors of **SJR 1**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 1 by Hughes, In memory of Ervin Gafford Clower.

SR 2 by Hughes, In memory of Jerry Strickland Harris.

Congratulatory Resolution

SR 3 by Zaffirini, Recognizing Thomas Reagan Mitchell on the occasion of his retirement.

RECESS

On motion of Senator Whitmire, the Senate at 2:47 p.m. recessed until 10:00 a.m. Friday, June 30, 2023.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

June 28, 2023

FINANCE — SB 1, SJR 1

BILL ENGROSSED

June 28, 2023

SB 1

RESOLUTIONS ENROLLED

June 28, 2023

SR 1, SR 2, SR 3

